

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

CSX TRANSPORTATION, INC.,  
individually and on behalf of NORFOLK  
& PORTSMOUTH BELT LINE  
RAILROAD COMPANY,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD

NORFOLK SOUTHERN RAILWAY  
COMPANY, *et al.*,

Defendants.

\_\_\_\_\_ /

**PLAINTIFF CSX TRANSPORTATION INC.'S  
MOTION TO EXCLUDE THOMAS D. CROWLEY**

Plaintiff CSX Transportation, Inc. ("CSXT"), by counsel, and pursuant to Rule 702 of the Federal Rules of Evidence, moves this Court to exclude Thomas D. Crowley, the expert witness proffered by Defendant Norfolk and Portsmouth Beltline Railway. The factual and legal grounds supporting this Motion are set forth in the Memorandum in Support filed simultaneously herewith, and a proposed order granting the requested relief is attached as **Exhibit 1**.

WHEREFORE, for the reasons stated in the accompanying Memorandum, CSXT respectfully requests the Court exclude all opinions and testimony by Mr. Crowley.

Dated: May 12, 2021

Respectfully submitted,

**CSX TRANSPORTATION, INC.**  
*By Counsel*

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**CERTIFICATE OF SERVICE**

I certify that on this 12th day of May, 2021, a true and correct copy of the foregoing was served on all counsel of record via Notice of Electronic Filing by filing with the Court's CM/ECF system.

/s/ Benjamin L. Hatch

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